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15 UNITED STATES DISTRICT COURT

16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 CENTER FOR BIOLOGICAL DIVERSITY,)
18 SIERRA FOREST LEGACY, ENVIRONMENTAL)
PROTECTION INFORMATION CENTER, and)
19 KLAMATH-SISKIYOU WILDLANDS CENTER,)
Plaintiffs,)
v.)
20 KEN SALAZAR, in his official capacity as)
Secretary of the Interior, ROWAN GOULD, in his)
21 official capacity as Acting Director, United States)
Fish and Wildlife Service, and UNITED STATES)
FISH and WILDLIFE SERVICE, an agency of the)
United States Department of the Interior,)
Defendants.

Case No. 3:10-cv-01501-JCS

**Joint Case Management Report
and Stipulated Request for
Order Granting Stay**

Plaintiffs Center for Biological Diversity, Sierra Forest Legacy, Environmental Protection Information Center, and Klamath-Siskiyou Wildlands Center (“Plaintiffs”), and Defendants Ken Salazar, Rowan Gould, and the U.S. Fish and Wildlife Service (“Defendants”) herein report on the status of this action and respectfully request pursuant to Civil Local Rule (“Civ. L.R.”) 6-2 that the Court enter a motion staying this litigation for 45 days pending settlement negotiations between the Plaintiffs and Defendants (collectively, “Parties”). The Parties also request that the Court vacate the case management conference currently set for March 11, 2011 at 1:30 p.m.

BACKGROUND

On December 15, 2010, the Court issued a Further Case Management and Pretrial Order (“Case Management Order”) (Docket No. 36) requiring the Defendants to file by December 7, 2010 the administrative records for the 2004-2008 findings challenged by Plaintiffs. The Defendants filed these administrative records on December 7, 2010. *See* Docket Nos. 33, 34. The Case Management Order further provided for the following briefing schedule:

<u>Event</u>	<u>Date</u>
Plaintiffs to file any motion concerning the sufficiency or content of the 2004-2008 administrative records.	February 7, 2011 (i.e. 60 days after filing of the 2004-2008 administrative records).
Plaintiffs' opening summary judgment brief.	March 9, 2011 (i.e. 30 days after the deadline for motions concerning the sufficiency or content of the administrative records).
Defendants' combined summary judgment opposition and cross-motion.	30 days after Plaintiffs' opening brief.
Plaintiffs' combined opposition/reply.	30 days after Defendants' main brief.
Defendants to file reply.	21 days after Plaintiffs' combined opposition/reply.

In addition, the Case Management Order called for the Parties to file an updated joint case management statement by March 4, 2011, and set a case management conference for March 11, 2011 at 1:30 p.m.

1 STATUS REPORT AND STIPULATION REGARDING STAY

2 The Parties are now engaged in settlement negotiations that may render further litigation
3 unnecessary. Therefore, judicial economy would best be served by a stay. The Parties therefore
4 request and stipulate to a stay of any further proceedings for 45 days, and agree to file a joint
5 status report on or before April 18, 2011, advising the Court of the status of their settlement
6 discussions and describing whether additional time is needed to complete settlement, or whether
7 a new briefing schedule and hearing date should be set. The Parties also request that the Court
8 vacate the March 11, 2011 case management conference and the other litigation deadlines
9 described above.

10 For the reasons stated above, the Parties therefore respectfully request that the Court enter
11 an order staying the briefing schedule, vacating the March 11, 2011 case management
12 conference, and adopting the schedule set forth in this stipulation.

13
14 Respectfully submitted this 3rd day of March, 2011.

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16 IGNACIA S. MORENO,
17 Assistant Attorney General

18 /s/ Daniel Pollak
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18 Attorneys for Plaintiffs

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 Dated: 03/04, 2011



21 JOSEPH C. SPERO
22 United States Magistrate

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2011, I caused a copy of the foregoing
Stipulated Request for Order Granting Stay to be served on the counsel of record by means of the
Court's electronic filing system:

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